

4252. Misbranding of soya lecithin. U. S. v. 2 Cases \* \* \*. (F. D. C. No. 35409. Sample No. 82093-L.)

LIBEL FILED: On or about September 3, 1953, Western District of Missouri.

ALLEGED SHIPMENT: On or about June 11, 1953, by Wolf Foods, Inc., from Ellinwood, Kans.

PRODUCT: 2 cases, each containing 12 unlabeled, 8-ounce bottles, of *soya lecithin* at Kansas City, Mo.

NATURE OF CHARGE: Misbranding, Section 502 (b) (1) and (2), the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; Section 502 (e) (1), the label failed to bear the common or usual name of the article, namely, soya lecithin; and, Section 502 (f) (1), the label of the article failed to bear adequate directions for use in the treatment of arthritis, rheumatism, skin conditions, and circulatory disorders, which were the conditions for which the article was intended.

DISPOSITION: October 28, 1953. Default decree of condemnation and destruction.

#### DRUGS ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS

4253. Adulteration of pink tablets. U. S. v. 1,600 Tablets \* \* \*. (F. D. C. No. 35656. Sample No. 61732-L.)

LIBEL FILED: September 30, 1953, District of Nebraska.

ALLEGED SHIPMENT: On or about November 28, 1952, from St. Louis, Mo.

PRODUCT: 1,600 *pink tablets* at Kearney, Nebr. Examination showed that the product contained not more than 20 percent of the declared amount of nitroglycerin.

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess, namely,  $\frac{1}{100}$  grain of nitroglycerin per tablet. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: November 4, 1953. The owner of the product having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be destroyed.

4254. Adulteration and misbranding of vitamin capsules. U. S. v. 39 Cartons \* \* \*. (F. D. C. No. 34913. Sample No. 17244-L.)

LIBEL FILED: March 30, 1953, Southern District of California.

ALLEGED SHIPMENT: On or about November 9 and December 16 and 23, 1952, by the American Pharmaceutical Co., from New York, N. Y.

PRODUCT: 39 cartons, each containing 12 100-capsule bottles, of *vitamin capsules* at Los Angeles, Calif.

LABEL, IN PART: (Bottle) "100 APC Capsules Belexon Fortified Vitamin B-Complex with Liver, Folic Acid and Vitamin B<sub>12</sub> \* \* \* A rich source of all B-complex Vitamins and a stimulant of the hematopoietic system in nutri-

tional, secondary and macrocytic anemias \* \* \* Each Capsule Contains:  
\* \* \* Thiamine Hydrochloride (B<sub>1</sub>) 5 mg."

**NATURE OF CHARGE:** Adulteration, Section 501 (c), the strength of the article differed from that which it was represented to possess, namely, 5 milligrams of vitamin B<sub>1</sub> per capsule.

Misbranding, Section 502 (a), the label statement "Each Capsule Contains: \* \* \* Thiamine Hydrochloride (B<sub>1</sub>) 5 mg." was false and misleading as applied to the article, which contained less than the declared amount of thiamine hydrochloride (B<sub>1</sub>).

The article was adulterated and misbranded in the above respects when introduced into and while in interstate commerce.

The libel alleged also that another lot of vitamin capsules was adulterated and misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

**DISPOSITION:** July 23, 1953. The American Pharmaceutical Co., New York, N. Y., claimant, having consented to the entry of a decree, the court ordered that a portion of the vitamin capsules having the status of drugs be released to the claimant and that the remainder of the vitamin capsules having the status of drugs and all of the vitamin capsules having the status of foods be condemned and destroyed.

**4255. Adulteration and misbranding of vitamin tablets. U. S. v. 201 Bottles, etc.** (F. D. C. No. 35312. Sample No. 38087-L.)

**LIBEL FILED:** July 10, 1953, Southern District of New York.

**ALLEGED SHIPMENT:** On or about April 24, May 20, 21, and 26, and December 2, 1952, and January 29, 1953, from Cleveland, Ohio.

**PRODUCT:** 201 120-tablet bottles, 1,320 60-tablet bottles, 2,448 6-tablet bottles, and 2 drums containing 2,500 tablets and 30,000 tablets, respectively, of *vitamin tablets* at New York, N. Y.

Analyses showed that the tablets contained 43 percent of the declared amount of vitamin B<sub>1</sub> (thiamine hydrochloride).

**NATURE OF CHARGE:** Adulteration, Section 501 (c), the strength of the tablets differed from that which they purported and were represented to possess, namely, 2.0 milligrams of thiamine hydrochloride per tablet.

Misbranding, Section 502 (a), the label statement "Each Tablet Contains: Thiamine Hydrochloride . . . 2.0 mg." was false and misleading as applied to the article, which contained less than 2.0 milligrams of thiamine hydrochloride per tablet.

The article was alleged to be adulterated and misbranded while held for sale after shipment in interstate commerce.

The libel alleged also that another article, vitamin and mineral tablets, was adulterated and misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods, No. 20794.

**DISPOSITION:** December 15, 1953. Default decree of condemnation and destruction.

**4256. Adulteration and misbranding of vitamin tablets. U. S. v. 172 Bottles, etc.** (F. D. C. No. 35356. Sample Nos. 18637-L, 39987-L.)

**LIBEL FILED:** July 29, 1953, District of Arizona.